

## Testing the ground

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President Kuchma's advisor Anatoly Galchynsky is known for his ability to make unexpected statements. His recent proposal to Kuchma - made through the national media - to dissolve the parliament and introduce presidential rule followed immediately after what he described as the lawmakers' attempt to "come on an offensive and disrupt the process of economic stabilization". The trigger of the story was the report of a special ad hoc investigation commission about reported financial violations in the course of reconstruction of the capital's central celebration facility, Ukraina Palace, supervised by then Minister of the Cabinet of Ministers Valery Pustovoitenko, followed by a resolution of the Verkhovna Rada that proposed that the President dismissed Pustovoitenko for gross misuse of about US\$ 40 million of state funds.

Mr. Galchynsky's statement that the President "must suspend the activities of the Verkhovna Rada that has fully discredited itself, and introduce the presidential rule for two or three years" is not original in the context of usual comments about the parliament made by Leonid Kuchma and officials of his circle.

After his second appointment to the position of a presidential adviser, Galchynsky has been used by Kuchma as an unofficial spokesman several times, and left an impression that his desire to comment on anything overweighted possible considerations on the contents of his comments. According to the Kievskie Vedomosti on October 3, 1997, Galchynsky "was given the task of voicing [Leonid Kuchma's] statement for the media" and to claim that "there will be no autumn-to-winter splash of inflation", "a draft presidential decree on step-by-step decrease of budget deficit by 2000 is being prepared", and "a task has been given to create a Cabinet's operative group in charge of working with IMF loans." The Uriadovyi Kurrier of November 13, 1997 quoted Galchynsky as saying that "there are optimistic shifts in the economy, but it is 1998 that will become the year of stabilization," and classing a general agreement with trade unions among the government's major achievements in the social sphere. In an interview to the Fakty i Kommentarii on November 14, 1997, Mr. Galchynsky argued that "the current government has been one level more efficient than the previous one." Although it is unclear whether Mr. Galchynsky is a spokesman for President Kuchma or for Prime Minister Pustovoitenko, his comments leave no doubt that he is an expert in all fields.

The words raised vivid reaction of most of policy-makers except the President. According to Yevhen Marchuk, "the current authorities have lost the sense of reality": an official adviser calls on the guarantor of the Constitution to commit an unconstitutional act by dissolving a legitimate - and equal - branch of power. Commenting on the statement, Speaker Oleksandr Moroz made it clear that Galchynsky had only voiced the "position, dictated to him" and warned that "any unconstitutional actions will receive adequate evaluation by the parliament."

Several of Leonid Kuchma's most memorable predictions never came true. On November 22, 1995, UNIAN news agency quoted the President as saying about the Constitutional agreement: "I am almost certain that the Verkhovna Rada will not adopt this law", but the parliament did adopt it, and it was not the parliament's fault that the President never used the powers offered by the law. On May 6, 1995, he was quoted by the Demokratychna Ukraina as saying: "I have no illusions: the current Verkhovna Rada is unable to adopt the Constitution", but the parliament did adopt it. Kuchma said (Den, February 7, 1997) that "in all democratic states, parliaments that do not adopt budgets are dissolved...", but the parliament did adopt the budget. Officials from President Kuchma's immediate circle also made numerous statements that fueled the confrontation. On January 30, 1995, then Presidential chief of staff Dmytro Tabachnyk did not allow a group of 15 MPs to attend a session of the Coordination Committee for Fighting Corruption and Organized Crime. On April 19, 1995, the Interfax news agency quoted Tabachnyk as describing chances that the parliament adopted the Law on Power "as a whole document" as "quite doubtful", but the parliament did adopt the law. On May 18, 1996, he told the Vseukrainskie Vedomosti that the dismissal of Oleksandr Moroz as the Speaker would "undoubtedly accelerate the adoption of the Constitution by the parliament". The view was shared by Secretary of the National Security and Defence Council Volodymyr Horbulin (Kievskie Vedomosti, May 30, 1996) who said he thought that substituting Moroz as the Speaker would be "useful". Presidential chief of staff Yevhen Kushnariov told the Kievskie Vedomosti on July 31, 1997 that "Kuchma and his

administration thoroughly study the possibility for the head of state to use his right to dissolve the Verkhovna Rada", followed by his "retreat" that he "did not state that the President would use the right to dissolve the parliament" (Vseukrainskie Vedomosti, August 2, 1997). Anatoly Galchynsky followed his higher-ranking fellow-officials by criticizing the parliament for the budget which, reportedly, was too bad for any criticism but was signed by the President "because the absence of the state budget caused political tension in the society" (Nezavisimost, July 30, 1997). Later on, (Fakty i Kommentarii, December 11, 1997) he referred to the parliament's decision to pass a no-confidence vote to the Cabinet due to the latter's misuse of reserve funds as "the reaction to positive changes in the economy and the positive actions undertaken by the government."

Mr. Galchynsky, now Number 42 in the People's Democratic Party's election list, supported Leonid Kuchma's anti-partisan line. On October 9, 1997, he told the Uriadovyi Kurrier that "the forecast that 1997 will bring our economy very close to production stabilization is becoming a reality. Not all political forces share positive emotions over this fact, since it questions their main pre-election issue about the deepening crisis."

Mr. Galchynsky's suggestion that the president should dismiss the parliament may be projected on Leonid Kuchma's similar statements. The President admitted that his actions regarding the parliament (described by James Rupert in the Washington Post (June 1, 1996) as "Kuchma ... repeatedly ... and often threatened...") were "only" aimed at "adding sound anger ... even to the part of deputies' corps that supported me: as if to say - we will show the ability to adopt the Constitution in the parliament. In other words, the trick of scaring the parliament with a referendum was used by the top state official to exert pressure on the legislature. Similarly, Mr. Galchynsky's recent statement should be seen as nothing more than a factor of pressure. While Leonid Kuchma admitted his trick had been "not quite correct a stimulus on my part", Galchynsky's words should also be treated as "not quite correct".

The suggestion to dismiss the parliament, made by the presidential aid, contradicts Leonid Kuchma's own numerous statements that he would not do so. On February 26, 1996, he was quoted by the Pravda Ukrainy as saying that he "personally ... opposed early termination of the parliament's powers... It's better to organize the work in a way that the Verkhovna Rada's [performance] become more efficient." On March 13, 1995, the President was quoted by the Interfax-Ukraine as saying that "all bodies, elected by the people, should work their full term" and that "nobody is certain that if this parliament is dissolved today and a new one is elected in four months, the new one will be better." On May 14, 1995, he told the Interfax-Ukraine that he "refuted ... the information that appeared in several media ... [suggesting] a possibility that the parliament may be dissolved immediately after the adoption of the Law on Power." On May 8, 1997, he was quoted by the Zerkalo Nedeli saying he "could not even think" about dissolution of the parliament. Moreover, in an interview to the Kievskie Vedomosti on May 21, 1997, he said: "no matter how [they] provoke me for something more, I will never resort to the use of authoritarian, force methods..."

The above brings us to a clear conclusion: assuming that in Leonid Kuchma's circle the right hand knows what the left hand is doing, and both know what the head wants, Mr. Galchynsky's words are more than a mistake: they represent - in Mr. Kuchma's own terminology - a provocation of the "use of authoritarian, force methods..." However, if the statement was aimed at stirring public opinion, the effort was completely wasted. Divided parts of Ukraine's emergent civil society, actively involved in the election process, showed no desire to pick up the story and take either of the sides. The general "masses" could not care less about this visible escalation of tension between the two branches.